

## UNITED STATES DISTRICT COURT

for the  
Middle District of GeorgiaROBERT H. WRIGHT, JR.  
v.  
JERALD WATSON and JONATHAN  
GOODRICH

Case No.: 4:15-CV-34 (CDL)

## BILL OF COSTS

Judgment having been entered in the above entitled action on 09/20/2017 against ROBERT H. WRIGHT, JR.,  
the Clerk is requested to tax the following as costs:

Fees of the Clerk .....	\$ .....
Fees for service of summons and subpoena .....	.....
Fees for printed or electronically recorded transcripts necessarily obtained for use in the case .....	7,291.10
Fees and disbursements for printing .....	.....
Fees for witnesses (itemize on page two) .....	217.00
Fees for exemplification and the costs of making copies of any materials where the copies are necessarily obtained for use in the case. ....	.....
Docket fees under 28 U.S.C. 1923 .....	.....
Costs as shown on Mandate of Court of Appeals .....	.....
Compensation of court-appointed experts .....	.....
Compensation of interpreters and costs of special interpretation services under 28 U.S.C. 1828 .....	.....
Other costs (please itemize) .....	.....
TOTAL	\$ 7,508.10

SPECIAL NOTE: Attach to your bill an itemization and documentation for requested costs in all categories.

## Declaration

I declare under penalty of perjury that the foregoing costs are correct and were necessarily incurred in this action and that the services for which fees have been charged were actually and necessarily performed. A copy of this bill has been served on all parties in the following manner:



Electronic service



First class mail, postage prepaid



Other:

s/ Attorney:



Name of Attorney: Russell A. Britt

For:

JERALD WATSON and JONATHAN GOODRICH

Date:

10/03/2017

Name of Claiming Party

## Taxation of Costs

Costs are taxed in the amount of \_\_\_\_\_ and included in the judgment.

By:

Clerk of Court

Deputy Clerk

Date

## UNITED STATES DISTRICT COURT

## Witness Fees (computation, cf. 28 U.S.C. 1821 for statutory fees)

NAME, CITY AND STATE OF RESIDENCE	ATTENDANCE		SUBSISTENCE		MILEAGE		Total Cost Each Witness
	Days	Total Cost	Days	Total Cost	Miles	Total Cost	
Michael Binion, Cairo, GA	1	20.00			300	80.00	\$100.00
Mark Bracewell, Dublin, GA	1	20.00			280	55.00	\$75.00
Jim Hillenbrand, Columbus, GA	1	40.00			4	2.00	\$42.00
							\$0.00
							\$0.00
							\$0.00
					<b>TOTAL</b>		<b>\$217.00</b>

## NOTICE

**Section 1924, Title 28, U.S. Code (effective September 1, 1948) provides:**

"Sec. 1924. Verification of bill of costs."

"Before any bill of costs is taxed, the party claiming any item of cost or disbursement shall attach thereto an affidavit, made by himself or by his duly authorized attorney or agent having knowledge of the facts, that such item is correct and has been necessarily incurred in the case and that the services for which fees have been charged were actually and necessarily performed."

**See also Section 1920 of Title 28, which reads in part as follows:**

"A bill of costs shall be filed in the case and, upon allowance, included in the judgment or decree."

**The Federal Rules of Civil Procedure contain the following provisions:****RULE 54(d)(1)****Costs Other than Attorneys' Fees.**

Unless a federal statute, these rules, or a court order provides otherwise, costs — other than attorney's fees — should be allowed to the prevailing party. But costs against the United States, its officers, and its agencies may be imposed only to the extent allowed by law. The clerk may tax costs on 14 day's notice. On motion served within the next 7 days, the court may review the clerk's action.

**RULE 6****(d) Additional Time After Certain Kinds of Service.**

When a party may or must act within a specified time after service and service is made under Rule 5(b)(2)(C), (D), (E), or (F), 3 days are added after the period would otherwise expire under Rule 6(a).

**RULE 58(e)****Cost or Fee Awards:**

Ordinarily, the entry of judgment may not be delayed, nor the time for appeal extended, in order to tax costs or award fees. But if a timely motion for attorney's fees is made under Rule 54(d)(2), the court may act before a notice of appeal has been filed and become effective to order that the motion have the same effect under Federal Rule of Appellate Procedure 4(a)(4) as a timely motion under Rule 59.

**IN THE STATE UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF GEORGIA  
COLUMBUS DIVISION**

ROBERT H. WRIGHT, JR.,

Plaintiff,

v.

S/A JERALD WATSON and DEP. JOHN  
GOODRICH, in their individual  
capacities,

Defendants.

CIVIL ACTION FILE  
NO. 4:15-CV-00034-CDL

---

**DEFENDANTS' MEMORANDUM IN SUPPORT OF  
THEIR BILL OF COSTS**

---

COME NOW, S/A JERALD WATSON and DEP. JOHN GOODRICH, in their individual capacities, (hereinafter "Defendants"), named as Defendants in the above-captioned matter, and pursuant to Federal Rule of Civil Procedure 54(d) and Local Rule 54.2, file this their Memorandum in Support of Their Bill of Costs. Defendants show this Honorable Court the following:

On September 19, 2017, a jury verdict was returned in favor of Defendants. (ECF No. 149.) On September 20, 2017, the Clerk of Court entered judgment in favor of Defendants and noted that Defendants "shall also recover costs of this action." (ECF No. 152.) Defendants now are entitled to costs allowed to a prevailing party, pursuant to Federal Rule of Civil Procedure 54(d) and Local Rule 54.2.

In support of the costs referenced in this Memorandum, Defendants also rely on their contemporaneously filed Bill of Costs and supporting, itemized documentation. The

documented costs included with the Bill of Costs are correct and were necessarily incurred in this action.

#### **A. Deposition and Hearing Transcripts**

As part of their recoverable costs, Defendants seek \$7,291.10 for printed or electronically recorded transcripts necessarily obtained for use in this case. Taxation of deposition or hearing transcript costs is authorized by 28 U.S.C. § 1920(2) as a "stenographic" cost. See, e.g., U.S. EEOC v. W&O, Inc., 213 F.3d 600, 620 (11th Cir. 2000) ("A district court may tax costs associated with the depositions submitted by the parties in support of their summary judgment motions."); Autry Petroleum Co. v. BP Prod. N. Am., Inc., 2010 WL 3239010, at \*5 (M.D. Ga. Aug. 16, 2010) (Land, J.) (taxing costs for hearing transcripts under § 1920(2)). In determining whether costs of a transcript may be taxed under § 1920, a district court must decide whether the transcript was necessarily obtained for use in the case. Watson v. Lake County, 492 F. App'x 991, 996 (11th Cir. 2012) (citing W & O, Inc., 213 F.3d at 620-21). "Although use of a [transcript] at trial or in a summary judgment motion tends to show that the [transcript] was necessarily obtained for use in a case, such a showing is not necessary to be taxable." Id. The test for recovery of transcript costs is "whether the prevailing party could have 'reasonably believed' that it was necessary to copy the documents at issue." Id. at 997 (citing W & O, Inc., 213 F.3d at 623).

Here, with the exception of the depositions of Plaintiff and his wife, Lisa Wright, the depositions were requested and noticed by Plaintiff's counsel. It also is undeniable that Plaintiff's deposition transcript was necessary for the defense of this case. Lisa Wright's deposition transcript was necessary because she was Plaintiff's material witness present at the scene of the incident and testified at trial on his behalf. Moreover, every deposition transcript obtained



involved either a party to the lawsuit at the time the deposition was taken (i.e., Plaintiff, Defendants, Mark Bracewell, Jeremy Bolen, Paul Wofford, Sven Armbrust, Roger Carroll, Mike Pitts, Jonathan Memmo, Lauren Stinson, Alex Berinobis, and Robert Austin)<sup>1</sup> and/or a material witness that ultimately testified at trial (i.e., Judge Jennifer Webb, Sheriff Mike Jolley, Michael Binion, Lisa Wright, and John Taylor).<sup>2</sup> Many the deposition transcripts were also used in support of Defendants' summary judgment motion, and all of the witnesses for whom deposition costs were incurred were identified in the pretrial order as possible witnesses to testify at trial. Thus, Defendants had reasonable belief that each and every itemized deposition transcript was necessary to copy for use in this case.

Additionally, the transcript costs for the summary judgment hearing on August 4, 2016 and the pretrial conference on August 25, 2017 were necessarily obtained for use in this case. The summary judgment hearing transcript was needed for inclusion in the appeal of the Court's order denying summary judgment, in part. It was included in Defendants' appeal appendix and referenced in their appeal briefing. Additionally, the summary judgment transcript was cited to in support of Defendants' motion in limine regarding the lack of proximate cause for Plaintiff's claim for lost wages, as well as Defendants' directed verdict motion at trial. The pretrial conference transcript was obtained because Defendants had reasonable belief that Court's oral rulings on the parties' motions in limine would needed to be cited during trial.<sup>3</sup>

---

<sup>1</sup> Other than Defendants and Mike Pitts, who previously was granted summary judgment, Plaintiff moved to drop each of these individuals as parties *after* their depositions were taken and transcripts obtained. Regardless, many of their deposition transcripts were used as part of Defendants' summary judgment motion, and many of the individuals also testified at trial.

<sup>2</sup> Excerpts of John Taylor's deposition transcript were read into the record at trial.

<sup>3</sup> Defendants were required to request an expedited copy of the pretrial conference transcript on August 18, 2017 when Defendants' counsel first learned that Plaintiff's counsel was objecting to Defendants participating in the Court-approved property inspection prior to the jury site visit. Defendants' counsel recalled the Court and the parties agreeing to allow Defendants' counsel *and*

**B. Witness Fees**

Defendants seek \$217.00 for witness fees incurred in this case. "A witness who appears before a federal court 'or before any person authorized to take his deposition pursuant to any rule or order of a court of the United States' is entitled to fees and allowances, including 'an attendance fee of \$40 per day for each day's attendance.'" Morrison v. Reichhold Chemicals, Inc., 97 F.3d 460, 463 (11th Cir. 1996) (quoting 28 U.S.C. § 1821(a)(1) & (b)). Witnesses may also be paid a mileage allowance pursuant to 28 U.S.C. § 1821(c)(2). These costs are taxable under 28 U.S.C. § 1920(3). See W&O, Inc., 213 F.3d at 620 (affirming award of witness fees pursuant to § 1920). Defendants' Bill of Costs itemizes the three trial witnesses for which trial attendance and mileage costs were necessary. Accordingly, taxation of witness fees in this case is proper.<sup>4</sup>

For the foregoing reasons, Defendants respectfully request taxation of \$7,508.10 against Plaintiff.

---

Defendants to inspect the property before trial. Thus, Defendants requested the expedited transcript within 7 days of August 18, 2017 so they would have ample time to file a motion with the Court prior to trial, if necessary. The issue was ultimately resolved between the parties, but, nonetheless, Defendants had reasonable belief that they needed an expedited copy of the pretrial conference transcript at the time they obtained it. Requesting the 14 or 30-day delivery schedule for the transcript would not have allowed sufficient time to file a necessary motion prior to trial, which was scheduled to begin on September 11, 2017.

<sup>4</sup> Defendants note that they split the witness fees for Michael Binion and Mark Bracewell with Plaintiff; thus, the requested amount in the Bill of Costs reflects the divided costs.

Respectfully submitted this 3<sup>rd</sup> day of October, 2017.

**HALL BOOTH SMITH, P.C.**

/s/ Russell A. Britt

KENNETH D. JONES

Georgia Bar No. 402101

RUSSELL A. BRITT

Georgia Bar No. 473664

*Counsel for Defendants S/A Jerald Watson,  
Dep. John Goodrich*

191 Peachtree Street, N.E.  
Suite 2900  
Atlanta, GA 30303-1775  
Tel: 404-954-5000  
Fax: 404-954-5020

IN THE UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF GEORGIA  
COLUMBUS DIVISION

ROBERT H. WRIGHT, JR.,

Plaintiff,

v.

S/A JERALD WATSON and DEP. JOHN  
GOODRICH, in their individual  
capacities,

Defendants.

CIVIL ACTION FILE  
NO. 4:15-CV-00034-CDL

---

CERTIFICATE OF SERVICE

---

I hereby certify that I have this day served a copy of the within and foregoing **Defendants' Memorandum in Support of Their Bill of Costs** upon all parties to this matter by depositing a true copy of same in the U.S. Mail, proper postage prepaid, addressed to counsel of record as follows and/or filing said document with the CM/ECF system which will automatically send electronic notification to the following:

Craig T. Jones, Esq.  
The Orlando Firm, P.C.  
Decatur Court, Suite 400  
315 West Ponce de Leon Avenue  
Decatur, GA 30030



Respectfully submitted this 3<sup>rd</sup> day of October, 2017.

**HALL BOOTH SMITH, P.C.**

/s/ Russell A. Britt

KENNETH D. JONES  
Georgia Bar No. 402101  
RUSSELL A. BRITT  
Georgia Bar No. 473664

*Counsel for Defendants S/A Jerald Watson,  
Dep. John Goodrich*

191 Peachtree Street, N.E.  
Suite 2900  
Atlanta, GA 30303-1775  
Tel: 404-954-5000  
Fax: 404-954-5020

**IN THE UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF GEORGIA  
COLUMBUS DIVISION**

ROBERT H. WRIGHT, JR.,

Plaintiff,

v.

S/A JERALD WATSON and DEP. JOHN  
GOODRICH, in their individual capacities,

Defendants.

CIVIL ACTION FILE  
NO. 4:15-CV-00034-CDL

**ITEMIZED BILL OF COSTS**

<b>COURT REPORTERS</b>		
<b>Date of Invoice</b>	<b>Court Reporter</b>	<b>Amount</b>
10/8/2015	Discovery Litigation Services Deposition of Jennifer Webb	\$235.40
11/5/2015	Discovery Litigation Services Deposition of Sheriff Mike Jolley	\$274.20
12/14/2015	Discovery Litigation Services Deposition of Jerald Watson	\$568.58
1/14/2016	Discovery Litigation Services Deposition of Mark Bracewell	\$330.00
1/19/2016	Discovery Litigation Services Depositions of Jeremy Bolen & Paul Wofford	\$657.76
2/19/2016	Discovery Litigation Services Deposition of Michael Binion	\$130.00

2/21/2016	Discovery Litigation Services Deposition of John Taylor	\$204.26
3/7/2016	American Court Reporting Company, Inc. Deposition of Robert Wright	\$876.25
3/8/2016	Causey Peterson Reporting, Inc. Deposition of Lisa Wright	\$1,196.25
4/1/2016	Discovery Litigation Services Depositions of Sven Armbrust, Roger Carroll, Mike Pitts & John Goodrich	\$1,137.90
4/6/2016	Discovery Litigation Services Depositions of Jonathan Memmo, Lauren Stinson, Alex Berinobis & Robert Austin	\$1,097.60
9/28/2016	Causey Peterson Reporting, Inc. 8/4/16 Hearing Transcript Invoice \$292.00 (rec'd refund of \$29.20)	\$262.80
8/25/2017	Betsy J. Peterson, FOCR 8/2/17 Hearing Transcript Invoice \$339.50 (rec'd refund of \$19.40)	\$320.10
<b>WITNESS FEES</b>		
<b>Date of Invoice</b>	<b>Witness</b>	<b>Amount</b>
8/31/17	Michael Binion	\$100.00
8/31/17	Mark Bracewell	\$75.00
8/31/17	Jim Hillenbrand	\$42.00
<b>TOTAL EXPENSES</b>		<b>\$7,508.10</b>



Russell A. Britt, Esq.  
Hall Booth Smith  
Suite 2900  
191 Peachtree Street NE  
Atlanta, GA 30303-1775

# INVOICE

Invoice No.	Invoice Date	Job No.
30982	10/8/2015	23972
Job Date	Case No.	
10/2/2015	4:15-cv-34(CDL)	
Case Name		
Robert Wright, Jr. vs. Jerald Watson		
Payment Terms		
Net 45		

## 1 COPY OF TRANSCRIPT OF:

Jennifer Webb

207.50

Exhibits: B&W 8.5x11 up to 100 pages

5.00 Pages

2.90

Shipping & Handling

25.00

**TOTAL DUE >>>**

**\$235.40**

AFTER 11/7/2015 PAY

\$270.71

We appreciate the opportunity to earn your business!

We gladly accept Visa, MasterCard, AMEX and Discover. To obtain a copy of our W9 please visit [www.discoverylit.com/w9.pdf](http://www.discoverylit.com/w9.pdf)

**Tax ID:** 45-4198354

*Please detach bottom portion and return with payment.*

Russell A. Britt, Esq.  
Hall Booth Smith  
Suite 2900  
191 Peachtree Street NE  
Atlanta, GA 30303-1775

Job No. : 23972 BU ID : ATL

Case No. : 4:15-cv-34(CDL)

Case Name : Robert Wright, Jr. vs. Jerald Watson

Invoice No. : 30982 Invoice Date : 10/8/2015

**Total Due : \$235.40**

AFTER 11/7/2015 PAY \$270.71

Remit To: **Discovery Litigation Services, LLC**  
**c/o Commercial Finance Group of Atlanta**  
**P.O. Box 420247**  
**Atlanta, GA 30342**

### PAYMENT WITH CREDIT CARD



Cardholder's Name:

Card Number:

Exp. Date:

Phone#:

Billing Address:

Zip:

Card Security Code:

Amount to Charge:

Cardholder's Signature:

Email:



**DISCOVERY**  
LITIGATION SERVICES  
Court Reporting • Videography • Trial Presentations

**855.847.0999**

Russell A. Britt, Esq.  
Hall Booth Smith  
Suite 2900  
191 Peachtree Street NE  
Atlanta, GA 30303-1775

# INVOICE

Invoice No.	Invoice Date	Job No.
31480	11/5/2015	24383
Job Date	Case No.	
10/20/2015	4:15-cv-34(CDL)	
Case Name		
Robert Wright, Jr. vs. Jerald Watson		
Payment Terms		
Net 45		

**1 COPY OF TRANSCRIPT OF:**

Sheriff Robert Michael Jolley

214.20

Litigation Support Disc:

35.00

Shipping & Handling

25.00

**TOTAL DUE >>>**

**\$274.20**

AFTER 12/5/2015 PAY

**\$315.33**

\*We appreciate the opportunity to earn your business!

Litigation Support CD: Online Hosting (DiscoveryLit.com), Condensed Transcript, Condensed Exhibits, PDF exhibits hyperlinked to transcript, multiple file formats such as ASCII, PDF & PTX.

We accept Visa, MasterCard, AMEX and Discover. W9 located at [www.discoverylit.com/w9](http://www.discoverylit.com/w9).

\*\*If an attorney or collection agency is engaged for collection purposes, all agency and attorney fees will be added to the invoice amount.

**Tax ID:** 45-4198354

*Please detach bottom portion and return with payment.*

Russell A. Britt, Esq.  
Hall Booth Smith  
Suite 2900  
191 Peachtree Street NE  
Atlanta, GA 30303-1775

Job No. : 24383 BU ID : ATL

Case No. : 4:15-cv-34(CDL)

Case Name : Robert Wright, Jr. vs. Jerald Watson

Invoice No. : 31480 Invoice Date : 11/5/2015

**Total Due : \$274.20**

AFTER 12/5/2015 PAY \$315.33

**PAYMENT WITH CREDIT CARD**



Cardholder's Name:

Card Number:

Exp. Date:

Phone#:

Billing Address:

Zip:

Card Security Code:

Amount to Charge:

Cardholder's Signature:

Email:

Remit To: **Discovery Litigation Services, LLC**  
**c/o Commercial Finance Group of Atlanta**  
**P.O. Box 420247**  
**Atlanta, GA 30342**





Russell A. Britt, Esq.  
Hall Booth Smith  
Suite 2900  
191 Peachtree Street NE  
Atlanta, GA 30303-1775

# INVOICE

Invoice No.	Invoice Date	Job No.
32157	12/14/2015	25128
Job Date	Case No.	
11/10/2015	4:15-cv-34(CDL)	
Case Name		
Robert Wright, Jr. vs. Jerald Watson		
Payment Terms		
Net 45		

## 1 COPY OF TRANSCRIPT OF:

Jerald Freeman Watson, Jr.	443.70
Litigation Support Disc	50.00
Exhibits: B&W 8.5x11 up to 100 pages	86.00 Pages 49.88
Shipping & Handling	25.00

**TOTAL DUE >>> \$568.58**

AFTER 1/13/2016 PAY \$653.87

\*We appreciate the opportunity to earn your business!

Litigation Support CD: Online Hosting (DiscoveryLit.com), Condensed Transcript, Condensed Exhibits, PDF exhibits hyperlinked to transcript, multiple file formats such as ASCII, PDF & PTX.

We accept Visa, MasterCard, AMEX and Discover. W9 located at [www.discoverylit.com/w9](http://www.discoverylit.com/w9).

\*\*If an attorney or collection agency is engaged for collection purposes, all agency and attorney fees will be added to the invoice amount.

**Tax ID:** 45-4198354

*Please detach bottom portion and return with payment.*

Russell A. Britt, Esq.  
Hall Booth Smith  
Suite 2900  
191 Peachtree Street NE  
Atlanta, GA 30303-1775

Job No. : 25128 BU ID : ATL  
Case No. : 4:15-cv-34(CDL)  
Case Name : Robert Wright, Jr. vs. Jerald Watson  
Invoice No. : 32157 Invoice Date : 12/14/2015  
**Total Due : \$568.58**  
AFTER 1/13/2016 PAY \$653.87

Remit To: **Discovery Litigation Services, LLC**  
**c/o Commercial Finance Group of Atlanta**  
**P.O. Box 420247**  
**Atlanta, GA 30342**

### PAYMENT WITH CREDIT CARD



Cardholder's Name: \_\_\_\_\_  
Card Number: \_\_\_\_\_  
Exp. Date: \_\_\_\_\_ Phone#: \_\_\_\_\_  
Billing Address: \_\_\_\_\_  
Zip: \_\_\_\_\_ Card Security Code: \_\_\_\_\_  
Amount to Charge: \_\_\_\_\_  
Cardholder's Signature: \_\_\_\_\_  
Email: \_\_\_\_\_



Russell A. Britt, Esq.  
Hall Booth Smith  
Suite 2900  
191 Peachtree Street NE  
Atlanta, GA 30303-1775

# INVOICE

Invoice No.	Invoice Date	Job No.
32672	1/14/2016	25452
Job Date	Case No.	
12/17/2015	4:15-cv-34(CDL)	
Case Name		
Robert Wright, Jr. vs. Jerald Watson		
Payment Terms		
Net 45		

## 1 COPY OF TRANSCRIPT OF:

Mark Bracewell	270.00
Litigation Support Disc:	35.00
Shipping & Handling	25.00

<b>TOTAL DUE &gt;&gt;&gt;</b>	<b>\$330.00</b>
AFTER 2/13/2016 PAY	\$379.50

\*We appreciate the opportunity to earn your business!

We accept Visa, MasterCard, AMEX and Discover. To obtain a copy of our W9 please visit [www.discoverylit.com/w9.pdf](http://www.discoverylit.com/w9.pdf).

\*\*If an attorney or collection agency is engaged for collection purposes, all agency and attorney fees will be added to the invoice amount.

Tax ID: 45-4198354

Please detach bottom portion and return with payment.

Russell A. Britt, Esq.  
Hall Booth Smith  
Suite 2900  
191 Peachtree Street NE  
Atlanta, GA 30303-1775

Job No.	: 25452	BU ID	: ATL
Case No.	: 4:15-cv-34(CDL)		
Case Name	: Robert Wright, Jr. vs. Jerald Watson		
Invoice No.	: 32672	Invoice Date	: 1/14/2016
<b>Total Due</b>	<b>: \$330.00</b>		
AFTER 2/13/2016 PAY \$379.50			

Remit To: **Discovery Litigation Services, LLC**  
**c/o Commercial Finance Group of Atlanta**  
**P.O. Box 420247**  
**Atlanta, GA 30342**

### PAYMENT WITH CREDIT CARD



Cardholder's Name:	
Card Number:	
Exp. Date:	Phone#:
Billing Address:	
Zip:	Card Security Code:
Amount to Charge:	
Cardholder's Signature:	
Email:	



Russell A. Britt, Esq.  
Hall Booth Smith  
Suite 2900  
191 Peachtree Street NE  
Atlanta, GA 30303-1775

# INVOICE

Invoice No.	Invoice Date	Job No.
32677	1/19/2016	25453
Job Date	Case No.	
12/21/2015	4:15-cv-34(CDL)	
Case Name		
Robert Wright, Jr. vs. Jerald Watson, et al		
Payment Terms		
Net 45		

## 1 COPY OF TRANSCRIPT OF:

Jeremy Bolen	342.90
Litigation Support Disc:	35.00

## 1 COPY OF TRANSCRIPT OF:

Paul Wofford	218.70
Litigation Support Disc:	35.00
Exhibits: B&W 8.5x11 up to 100 pages	2.00 Pages 1.16
Shipping & Handling	25.00

**TOTAL DUE >>> \$657.76**

AFTER 2/18/2016 PAY \$756.42

\*We appreciate the opportunity to earn your business!

We accept Visa, MasterCard, AMEX and Discover. To obtain a copy of our W9 please visit [www.discoverylit.com/w9.pdf](http://www.discoverylit.com/w9.pdf).

\*\*If an attorney or collection agency is engaged for collection purposes, all agency and attorney fees will be added to the invoice amount.

Tax ID: 45-4198354

Please detach bottom portion and return with payment.

Russell A. Britt, Esq.  
Hall Booth Smith  
Suite 2900  
191 Peachtree Street NE  
Atlanta, GA 30303-1775

Job No. : 25453 BU ID : ATL

Case No. : 4:15-cv-34(CDL)

Case Name : Robert Wright, Jr. vs. Jerald Watson, et al

Invoice No. : 32677 Invoice Date : 1/19/2016

**Total Due : \$657.76**

AFTER 2/18/2016 PAY \$756.42

Remit To: **Discovery Litigation Services, LLC**  
**c/o Commercial Finance Group of Atlanta**  
**P.O. Box 420247**  
**Atlanta, GA 30342**

### PAYMENT WITH CREDIT CARD



Cardholder's Name: \_\_\_\_\_

Card Number: \_\_\_\_\_

Exp. Date: \_\_\_\_\_ Phone#: \_\_\_\_\_

Billing Address: \_\_\_\_\_

Zip: \_\_\_\_\_ Card Security Code: \_\_\_\_\_

Amount to Charge: \_\_\_\_\_

Cardholder's Signature: \_\_\_\_\_

Email: \_\_\_\_\_



Russell A. Britt, Esq.  
Hall Booth Smith  
Suite 2900  
191 Peachtree Street NE  
Atlanta, GA 30303-1775

# INVOICE

Invoice No.	Invoice Date	Job No.
33355	2/19/2016	26088
Job Date	Case No.	
2/8/2016	4:15-cv-34(CDL)	
Case Name		
Robert Wright, Jr. vs. Jerald Watson, et al		
Payment Terms		
Net 45		

E-TRAN COPY OF THE DEPOSITION OF:

Michael S. Binion

130.00

**TOTAL DUE >>>**

**\$130.00**

AFTER 3/20/2016 PAY

\$149.50

\*We appreciate the opportunity to earn your business!

We accept Visa, MasterCard, AMEX and Discover. To obtain a copy of our W9 please visit [www.discoverylit.com/w9.pdf](http://www.discoverylit.com/w9.pdf).

\*\*If an attorney or collection agency is engaged for collection purposes, all agency and attorney fees will be added to the invoice amount.

Tax ID: 45-4198354

Please detach bottom portion and return with payment.

Russell A. Britt, Esq.  
Hall Booth Smith  
Suite 2900  
191 Peachtree Street NE  
Atlanta, GA 30303-1775

Job No. : 26088 BU ID : ATL  
Case No. : 4:15-cv-34(CDL)  
Case Name : Robert Wright, Jr. vs. Jerald Watson, et al

Invoice No. : 33355 Invoice Date : 2/19/2016

**Total Due : \$130.00**

AFTER 3/20/2016 PAY \$149.50

Remit To: **Discovery Litigation Services, LLC**  
**c/o Commercial Finance Group of Atlanta**  
**P.O. Box 420247**  
**Atlanta, GA 30342**

**PAYMENT WITH CREDIT CARD**



Cardholder's Name:

Card Number:

Exp. Date:

Phone#:

Billing Address:

Zip:

Card Security Code:

Amount to Charge:

Cardholder's Signature:

Email:



Russell A. Britt, Esq.  
Hall Booth Smith  
Suite 2900  
191 Peachtree Street NE  
Atlanta, GA 30303-1775

# INVOICE

Invoice No.	Invoice Date	Job No.
33380	2/21/2016	26087
Job Date	Case No.	
2/5/2016	4:15-cv-34(CDL)	
Case Name		
Robert Wright, Jr. vs. Jerald Watson, et al		
Payment Terms		
Net 45		

## 1 COPY OF TRANSCRIPT OF:

John Taylor		143.10
Litigation Support Disc:		35.00
Exhibits: B&W 8.5x11 up to 100 pages	2.00 Pages	1.16
Shipping & Handling		25.00
<b>TOTAL DUE &gt;&gt;&gt;</b>		<b>\$204.26</b>
AFTER 3/22/2016 PAY		\$234.90

\*We appreciate the opportunity to earn your business!

We accept Visa, MasterCard, AMEX and Discover. To obtain a copy of our W9 please visit [www.discoverylit.com/w9.pdf](http://www.discoverylit.com/w9.pdf).

\*\*If an attorney or collection agency is engaged for collection purposes, all agency and attorney fees will be added to the invoice amount.

**Tax ID:** 45-4198354

*Please detach bottom portion and return with payment.*

Russell A. Britt, Esq.  
Hall Booth Smith  
Suite 2900  
191 Peachtree Street NE  
Atlanta, GA 30303-1775

Job No. : 26087 BU ID : ATL  
Case No. : 4:15-cv-34(CDL)  
Case Name : Robert Wright, Jr. vs. Jerald Watson, et al  
Invoice No. : 33380 Invoice Date : 2/21/2016  
**Total Due : \$204.26**  
AFTER 3/22/2016 PAY \$234.90

Remit To: **Discovery Litigation Services, LLC**  
**c/o Commercial Finance Group of Atlanta**  
**P.O. Box 420247**  
**Atlanta, GA 30342**

### PAYMENT WITH CREDIT CARD



Cardholder's Name: \_\_\_\_\_  
Card Number: \_\_\_\_\_  
Exp. Date: \_\_\_\_\_ Phone#: \_\_\_\_\_  
Billing Address: \_\_\_\_\_  
Zip: \_\_\_\_\_ Card Security Code: \_\_\_\_\_  
Amount to Charge: \_\_\_\_\_  
Cardholder's Signature: \_\_\_\_\_  
Email: \_\_\_\_\_



**American Court Reporting Company, Inc.**

**Our IRS Number is:**  
**58-2429160**

52 Executive Park South  
 Suite 5201  
 Atlanta, GA 30329

**(404) 892-1331**  
**(800) 445-2842**

March 7, 2016

Kenneth D. Jones, Esquire  
 Hall Booth Smith & Slover, PC  
 191 Peachtree Street NE  
 Suite 2900  
 Atlanta, Georgia 30303

**Invoice No: 16-0465**

**In Re:** Robert Wright vs. S/A Jerald Watson, et al.  
**Jurisdiction:** USDC; Middle Dist of GA; Columbus Div.  
**Deposition Of:** Robert H. Wright, Jr.  
**Transcription Of:**

**Case No:** 4:15-CV-34 (CDL)  
**Heard:** 2/19/16; 10:00 AM  
**Job No:** 73002

<b>Transcript Cost</b>	Copy	889.05
<b>Transcript Cost</b>		
<b>Transcript Cost</b>		
<b>Reporter's Take-Down</b>		
<b>Appearance Fee</b>		
<b>Travel</b>		
<b>Delivery and Handling</b>		20.50
<b>Other</b>	Ascii, Mini & Etran via Email	0.00
<b>Other</b>	Minuscrit with Key-Word Index	0.00
<b>Other</b>	Scanning Exhibits	47.50
<b>Other</b>		

GDT/1 /305/80.80

*Outstanding balances bear  
 interest at the rate of 1.5% per month*

**Grand Total** 957.05

If payment is received by 04/11/2016 please remit 876.25

To Insure Proper Credit, Return PINK COPY With Remittance



# Causey Peterson Reporting, Inc.

## Certified Court Reporters

22 West Fifth Street 31901

Post Office Box 81

Columbus, Georgia 31902

PHONE: 706-317-3111

# INVOICE

DATE	INVOICE #
3/8/16	9304

BILL TO:
Mr. Russell Britt Hall Booth & Smith 191 Peachtree Street, NE, Suite 2900 Atlanta, Georgia 30303

CASE/STYLE:
Robert H. Wright, Jr., v. S/A Jerald Watson, et al. USDC, MDGA, Columbus Division 4:15-CV-34 (CDL)

Schedule depositions at:  
[scheduling@causeypeterson.com](mailto:scheduling@causeypeterson.com) or  
[office@causeypeterson.com](mailto:office@causeypeterson.com) or  
[www.causeypeterson.com](http://www.causeypeterson.com)

TERMS	REPORTER	TAX ID #
Due on receipt	AMC	73-1700850

DESCRIPTION	AMOUNT
Deposition of Lisa Butts Wright, taken on 2/22/2016, in Columbus, Georgia.	
Copy	1,148.00
Exhibits	28.25
CD Containing Transcript in Multiple Formats With Scanned Exhibits	20.00
<b>WE NOW ACCEPT ALL MAJOR CREDIT CARDS!</b>	
<b>Invoice Total</b>	<b>\$1,196.25</b>
Thank you for scheduling with Causey Peterson Reporting!	
<b>Balance Due</b>	<b>\$1,196.25</b>

REALTIME / VIDEO / E-TRANSCRIPT / EXHIBIT SCANNING / CONDENSING & WORD INDEXING  
 TELEPHONIC DEPOSITIONS / TELECONFERENCING  
 & COMPLIMENTARY CONFERENCE ROOM



Russell A. Britt, Esq.  
Hall Booth Smith  
Suite 2900  
191 Peachtree Street NE  
Atlanta, GA 30303-1775

# INVOICE

Invoice No.	Invoice Date	Job No.
33957	4/1/2016	26564
Job Date	Case No.	
2/24/2016	4:15-cv-34(CDL)	
Case Name		
Robert Wright, Jr. vs. Jerald Watson, et al		
Payment Terms		
Net 45		

1 COPY OF TRANSCRIPT OF: Sven Armbrust	278.90
1 COPY OF TRANSCRIPT OF: Roger Carroll	233.00
1 COPY OF TRANSCRIPT OF: Mike Pitts	330.20
1 COPY OF TRANSCRIPT OF: John Goodrich	270.80
Shipping & Handling	25.00
<b>TOTAL DUE &gt;&gt;&gt;</b>	<b>\$1,137.90</b>
AFTER 5/1/2016 PAY	\$1,308.59

\*We appreciate the opportunity to earn your business!

We accept Visa, MasterCard, AMEX and Discover. To obtain a copy of our W9 please visit [www.discoverylit.com/w9.pdf](http://www.discoverylit.com/w9.pdf).

\*\*If an attorney or collection agency is engaged for collection purposes, all agency and attorney fees will be added to the invoice amount.

Tax ID: 45-4198354

Please detach bottom portion and return with payment.

Russell A. Britt, Esq.  
Hall Booth Smith  
Suite 2900  
191 Peachtree Street NE  
Atlanta, GA 30303-1775

Job No. : 26564 BU ID : ATL  
Case No. : 4:15-cv-34(CDL)  
Case Name : Robert Wright, Jr. vs. Jerald Watson, et al  
  
Invoice No. : 33957 Invoice Date : 4/1/2016  
**Total Due : \$1,137.90**  
AFTER 5/1/2016 PAY \$1,308.59

Remit To: **Discovery Litigation Services, LLC**  
**c/o Commercial Finance Group of Atlanta**  
**P.O. Box 420247**  
**Atlanta, GA 30342**

PAYMENT WITH CREDIT CARD	
Cardholder's Name: _____	
Card Number: _____	
Exp. Date: _____	Phone#: _____
Billing Address: _____	
Zip: _____	Card Security Code: _____
Amount to Charge: _____	
Cardholder's Signature: _____	
Email: _____	



Russell A. Britt, Esq.  
Hall Booth Smith  
Suite 2900  
191 Peachtree Street NE  
Atlanta, GA 30303-1775

# INVOICE

Invoice No.	Invoice Date	Job No.
34276	4/6/2016	26565
Job Date	Case No.	
2/29/2016	4:15-cv-34(CDL)	
Case Name		
Robert Wright, Jr. vs. Jerald Watson, et al		
Payment Terms		
Net 45		

1 COPY OF TRANSCRIPT OF:		
Jonathan Memmo		296.90
1 COPY OF TRANSCRIPT OF:		
Lauren Stinson		329.30
Exhibits: Color 8.5x11 up to 100 pages	62.00 Pages	71.30
1 COPY OF TRANSCRIPT OF:		
Alex Berinobis		161.90
1 COPY OF TRANSCRIPT OF:		
Sgt. Robert Austin		213.20
Shipping & Handling		25.00
<b>TOTAL DUE &gt;&gt;&gt;</b>		<b>\$1,097.60</b>
AFTER 5/6/2016 PAY		\$1,262.24

\*We appreciate the opportunity to earn your business!

Litigation Support CD: Online Hosting (DiscoveryLit.com), Condensed Transcript, Condensed Exhibits, PDF exhibits hyperlinked to transcript, multiple file formats such as ASCII, PDF & PTX.

We accept Visa, MasterCard, AMEX and Discover. W9 located at [www.discoverylit.com/w9](http://www.discoverylit.com/w9).

\*\*If an attorney or collection agency is engaged for collection purposes, all agency and attorney fees will be added to the invoice amount.

Tax ID: 45-4198354

Please detach bottom portion and return with payment.

Russell A. Britt, Esq.  
Hall Booth Smith  
Suite 2900  
191 Peachtree Street NE  
Atlanta, GA 30303-1775

Job No. : 26565 BU ID : ATL  
Case No. : 4:15-cv-34(CDL)  
Case Name : Robert Wright, Jr. vs. Jerald Watson, et al  
Invoice No. : 34276 Invoice Date : 4/6/2016  
**Total Due : \$1,097.60**  
AFTER 5/6/2016 PAY \$1,262.24

Remit To: **Discovery Litigation Services, LLC**  
**c/o Commercial Finance Group of Atlanta**  
**P.O. Box 420247**  
**Atlanta, GA 30342**

<b>PAYMENT WITH CREDIT CARD</b>				
Cardholder's Name:				
Card Number:				
Exp. Date:		Phone#:		
Billing Address:				
Zip:		Card Security Code:		
Amount to Charge:				
Cardholder's Signature:				
Email:				

**C  
P  
R****Causey Peterson Reporting, Inc.****Certified Court Reporters**

22 West Fifth Street 31901

Post Office Box 81

Columbus, Georgia 31902

PHONE: 706-377-3111

**INVOICE**

DATE	INVOICE #
9/28/16	9579FC

BILL TO:
Mr. Russell Britt Hall Booth & Smith 191 Peachtree Street, NE, Suite 2900 Atlanta, Georgia 30303

CASE/STYLE:
Wright v. Watson, et al. USDC, MDGA, Columbus Division Case No.: 4:15-CV-00034-CDL

Schedule depositions at:  
[scheduling@causeypeterson.com](mailto:scheduling@causeypeterson.com) or  
[office@causeypeterson.com](mailto:office@causeypeterson.com) or  
[www.causeypeterson.com](http://www.causeypeterson.com)

TERMS	REPORTER	TAX ID #
Prepaid	BJP	73-1700850

DESCRIPTION	AMOUNT
Transcript of Proceedings before the Honorable Clay D. Land, taken on 8/4/2016. Certified Original (72 pages @ \$3.65)	0.00 262.80
Check # 154994 for \$292.00 was received 9/9/2016. A refund in the amount of \$29.20 will be promptly issued.	
<b>WE NOW ACCEPT ALL MAJOR CREDIT CARDS!</b>	
	<b>Invoice Total</b> \$262.80
Thank you. We appreciate your business!!	<b>Balance Due</b> \$0.00

REALTIME / VIDEO / E-TRANSCRIPT / EXHIBIT SCANNING / CONDENSING & WORD INDEXING  
 TELEPHONIC DEPOSITIONS / TELECONFERENCING  
 & COMPLIMENTARY CONFERENCE ROOM





# Causey Peterson Reporting, Inc.

**Certified Court Reporters**

22 West Fifth Street 31901

Post Office Box 81

Columbus, Georgia 31902

www.causeypeterson.com

## PREPAYMENT REQUEST

DATE	INVOICE #
9/6/16	1189fc

BILL TO:
Mr. Russell Britt Hall Booth & Smith 191 Peachtree Street, NE, Suite 2900 Atlanta, Georgia 30303

CASE/STYLE
Wright v. Watson, et al. USDC, MDGA, Columbus Division Case No.: 4:15-CV-00034-CDL

TAX ID#	73-1700850	CPR NO.	TERMS	REPORTER
			Prepayment Request	BJP

DESCRIPTION	TOTAL
Transcript of Proceedings before the Honorable Clay D. Land, taken on 8/4/2016. Certified Original (Estimated 80 pages @ \$3.65)	292.00
Amount of Charges for prepayment.	<b>TOTAL</b> \$292.00

REALTIME / VIDEO / E-TRANSCRIPT / EXHIBIT SCANNING / CONDENSING & WORD INDEXING  
TELEPHONIC DEPOSITIONS & COMPLIMENTARY CONFERENCE ROOM

PHONE: 706-317-3111

EMAIL: office@causeypeterson.com

schedule@causeypeterson.com

DESCRIPTION		AMOUNT
Transcript of Proceedings before the Honorable Clay D. Land, taken on 8/2/2017. Certified Original (Expedited) (66 pages @ \$4.85)		0.00 320.10
Prepayment Check #170373 for \$339.50 received 8/21/2017. A refund in the amount of \$19.40 will be issued promptly.		
<b>Invoice Total</b>		<b>\$320.10</b>
Thank you. We appreciate your business!!	<b>Balance Due</b>	<b>\$0.00</b>

BETSY PETERSON  
Federal Official Court Reporter  
Post Office Box 2324  
Columbus, GA 31902

BETSY PETERSON

August 25, 2017

Claudia West  
Hall Booth Smith, P.C.  
191 Peachtree Street, NE  
Suite 2900  
Atlanta, Georgia 30303-1775

RE: Wright v. Watson, et al.  
Case No.: 4:15-CV-00034-CDL

Dear Ms. West:

Enclosed please find a check in the amount of \$19.40 as a refund of overpayment from your firm's prepayment check #170373. I have enclosed a copy of the invoice for your reference.




Sincerely,



Larry J. Peterson  
Assistant to Betsy Peterson  
Federal Official Court Reporter

/ljp  
Enclosure

Phone: (706) 329-3868 Fax: (706) 660-8123

04-10/610		111
BETSY W PETERSON FEDERAL OFFICIAL COURT REPORTER		
Date		8/25/2017
Pay to the order of	Hall Booth Smith	\$ 19.40
nineteen + 40/100		Dollars  Security Feature Printed on Back
 <b>SUNTRUST</b> ACH RT 081000104		
Memo	Refund - Inv 17128 	
⑆061000104⑆1000206073149⑆ 0111		

AO 88 (Rev. 02/14) Subpoena to Appear and Testify at a Hearing or Trial in a Civil Action

# UNITED STATES DISTRICT COURT

for the

ROBERT H. WRIGHT, JR.

*Plaintiff*

v.

S/A JERALD WATSON, et.al.

*Defendant*

Civil Action No. 4:15-CV-34-CDL

## SUBPOENA TO APPEAR AND TESTIFY AT A HEARING OR TRIAL IN A CIVIL ACTION

To: Michael Binion

*(Name of person to whom this subpoena is directed)*

**YOU ARE COMMANDED** to appear in the United States district court at the time, date, and place set forth below to testify at a hearing or trial in this civil action. When you arrive, you must remain at the court until the judge or a court officer allows you to leave.

Place: 120 12th Street, Columbus , GA 31901 *on call for entire week - contact counsel for time to appear	Courtroom No.: 2nd Floor Date and Time: 09/11/2017 9:00 am
--	---

You must also bring with you the following documents, electronically stored information, or objects *(leave blank if not applicable)*:

The following provisions of Fed. R. Civ. P. 45 are attached – Rule 45(c), relating to the place of compliance; Rule 45(d), relating to your protection as a person subject to a subpoena; and Rule 45(e) and (g), relating to your duty to respond to this subpoena and the potential consequences of not doing so.

Date: 8/31/17

CLERK OF COURT

OR

*Signature of Clerk or Deputy Clerk**Attorney's Signature*

The name, address, e-mail address, and telephone number of the attorney representing *(name of party)* \_\_\_\_\_

S/A Jerald Watson and Dep. John Goodrich, who issues or requests this subpoena, are:

Kenneth D. Jones, Esq. and Russell A. Britt, Esq., Hall Booth Smith, 191 Peachtree Street, Suite 2900, Atlanta, GA 30303-1775, (404) 954-5000, KJones@hallboothsmith.com and RBritt@hallboothsmith.com

### Notice to the person who issues or requests this subpoena

If this subpoena commands the production of documents, electronically stored information, or tangible things before trial, a notice and a copy of the subpoena must be served on each party in this case before it is served on the person to whom it is directed. Fed. R. Civ. P. 45(a)(4).



AO 88 (Rev. 02/14) Subpoena to Appear and Testify at a Hearing or Trial in a Civil Action (page 2)

Civil Action No. 4:15-CV-34-CDL

**PROOF OF SERVICE***(This section should not be filed with the court unless required by Fed. R. Civ. P. 45.)*

I received this subpoena for (name of individual and title, if any) \_\_\_\_\_

on (date) \_\_\_\_\_

☒ I served the subpoena by delivering a copy to the named person as follows: 525 West Road,  
Cairo, GA 39827

on (date) 08/31/2017 ; or

☐ I returned the subpoena unexecuted because: \_\_\_\_\_

Unless the subpoena was issued on behalf of the United States, or one of its officers or agents, I have also  
tendered to the witness the fees for one day's attendance, and the mileage allowed by law, in the amount of


\$ 100.00

*The fee is being mailed to Michelle Hirsch per counsel's request. (RA)*

My fees are \$ \_\_\_\_\_ for travel and \$ \_\_\_\_\_ for services, for a total of \$ 0.00

I declare under penalty of perjury that this information is true.

Date: 08/31/2017



Server's signature

Russell Britt, Esq.

Printed name and title

191 Peachtree Street, Suite 2900  
Atlanta, GA 30303

Server's address

Additional information regarding attempted service, etc.:

**Federal Rule of Civil Procedure 45 (c), (d), (e), and (g) (Effective 12/1/13)****(c) Place of Compliance.**

**(1) For a Trial, Hearing, or Deposition.** A subpoena may command a person to attend a trial, hearing, or deposition only as follows:

- (A) within 100 miles of where the person resides, is employed, or regularly transacts business in person; or
- (B) within the state where the person resides, is employed, or regularly transacts business in person, if the person
  - (i) is a party or a party's officer; or
  - (ii) is commanded to attend a trial and would not incur substantial expense.

**(2) For Other Discovery.** A subpoena may command:

- (A) production of documents, electronically stored information, or tangible things at a place within 100 miles of where the person resides, is employed, or regularly transacts business in person; and
- (B) inspection of premises at the premises to be inspected.

**(d) Protecting a Person Subject to a Subpoena; Enforcement.**

**(1) Avoiding Undue Burden or Expense; Sanctions.** A party or attorney responsible for issuing and serving a subpoena must take reasonable steps to avoid imposing undue burden or expense on a person subject to the subpoena. The court for the district where compliance is required must enforce this duty and impose an appropriate sanction—which may include lost earnings and reasonable attorney's fees—on a party or attorney who fails to comply.

**(2) Command to Produce Materials or Permit Inspection.**

**(A) Appearance Not Required.** A person commanded to produce documents, electronically stored information, or tangible things, or to permit the inspection of premises, need not appear in person at the place of production or inspection unless also commanded to appear for a deposition, hearing, or trial.

**(B) Objections.** A person commanded to produce documents or tangible things or to permit inspection may serve on the party or attorney designated in the subpoena a written objection to inspecting, copying, testing, or sampling any or all of the materials or to inspecting the premises—or to producing electronically stored information in the form or forms requested. The objection must be served before the earlier of the time specified for compliance or 14 days after the subpoena is served. If an objection is made, the following rules apply:

- (i) At any time, on notice to the commanded person, the serving party may move the court for the district where compliance is required for an order compelling production or inspection.
- (ii) These acts may be required only as directed in the order, and the order must protect a person who is neither a party nor a party's officer from significant expense resulting from compliance.

**(3) Quashing or Modifying a Subpoena.**

**(A) When Required.** On timely motion, the court for the district where compliance is required must quash or modify a subpoena that:

- (i) fails to allow a reasonable time to comply;
- (ii) requires a person to comply beyond the geographical limits specified in Rule 45(c);
- (iii) requires disclosure of privileged or other protected matter, if no exception or waiver applies; or
- (iv) subjects a person to undue burden.

**(B) When Permitted.** To protect a person subject to or affected by a subpoena, the court for the district where compliance is required may, on motion, quash or modify the subpoena if it requires:

- (i) disclosing a trade secret or other confidential research, development, or commercial information; or

(ii) disclosing an unretained expert's opinion or information that does not describe specific occurrences in dispute and results from the expert's study that was not requested by a party.

**(C) Specifying Conditions as an Alternative.** In the circumstances described in Rule 45(d)(3)(B), the court may, instead of quashing or modifying a subpoena, order appearance or production under specified conditions if the serving party:

- (i) shows a substantial need for the testimony or material that cannot be otherwise met without undue hardship; and
- (ii) ensures that the subpoenaed person will be reasonably compensated.

**(e) Duties in Responding to a Subpoena.**

**(1) Producing Documents or Electronically Stored Information.** These procedures apply to producing documents or electronically stored information:

**(A) Documents.** A person responding to a subpoena to produce documents must produce them as they are kept in the ordinary course of business or must organize and label them to correspond to the categories in the demand.

**(B) Form for Producing Electronically Stored Information Not Specified.** If a subpoena does not specify a form for producing electronically stored information, the person responding must produce it in a form or forms in which it is ordinarily maintained or in a reasonably usable form or forms.

**(C) Electronically Stored Information Produced in Only One Form.** The person responding need not produce the same electronically stored information in more than one form.

**(D) Inaccessible Electronically Stored Information.** The person responding need not provide discovery of electronically stored information from sources that the person identifies as not reasonably accessible because of undue burden or cost. On motion to compel discovery or for a protective order, the person responding must show that the information is not reasonably accessible because of undue burden or cost. If that showing is made, the court may nonetheless order discovery from such sources if the requesting party shows good cause, considering the limitations of Rule 26(b)(2)(C). The court may specify conditions for the discovery.

**(2) Claiming Privilege or Protection.**

**(A) Information Withheld.** A person withholding subpoenaed information under a claim that it is privileged or subject to protection as trial-preparation material must:

- (i) expressly make the claim; and
- (ii) describe the nature of the withheld documents, communications, or tangible things in a manner that, without revealing information itself privileged or protected, will enable the parties to assess the claim.

**(B) Information Produced.** If information produced in response to a subpoena is subject to a claim of privilege or of protection as trial-preparation material, the person making the claim may notify any party that received the information of the claim and the basis for it. After being notified, a party must promptly return, sequester, or destroy the specified information and any copies it has; must not use or disclose the information until the claim is resolved; must take reasonable steps to retrieve the information if the party disclosed it before being notified; and may promptly present the information under seal to the court for the district where compliance is required for a determination of the claim. The person who produced the information must preserve the information until the claim is resolved.

**(g) Contempt.**

The court for the district where compliance is required—and also, after a motion is transferred, the issuing court—may hold in contempt a person who, having been served, fails without adequate excuse to obey the subpoena or an order related to it.



Case 4:15-cv-00034-CDL Document 157 Filed 10/03/17 Page 31 of 39

REF #	DATE	INVOICE #	INVOICE AMOUNT	INVOICE DESCRIPTION	AMT. PAID
5812.0003	08-31-17	19035	100.00	Witness Fee & Mileage	100.00

HALL BOOTH SMITH PC / OPERATING ACCOUNT

THIS CHECK IS VOID WITHOUT A BLUE & GREEN BACKGROUND AND AN ARTIFICIAL WATERMARK ON THE BACK - HOLD AT AN ANGLE TO VIEW

08-31-17

HALL BOOTH SMITH PC  
OPERATING ACCOUNT  
191 PEACH TREE STREET, SUITE 2900  
ATLANTA, GA 30303  
(404) 954-5000

SUNTRUST BANK  
ACH RT 061000104  
64-10/610

170917

CHECK AMOUNT  
\$ 100.00

ONE HUNDRED AND 00/100 DOLLAR(S)

PAY TO THE ORDER OF Michael Binlon

*Signature*

TWO SIGNATURES REQUIRED OVER \$500.00  
SIGNATURE HAS A COLORED BACKGROUND \* BORDER CONTAINS MICROPRINTING

⑈00170917⑈ ⑆061000104⑆ 1000088601942⑈

AO 88 (Rev. 02/14) Subpoena to Appear and Testify at a Hearing or Trial in a Civil Action

# UNITED STATES DISTRICT COURT

for the

ROBERT H. WRIGHT, JR.

*Plaintiff*

v.

S/A JERALD WATSON, et.al.

*Defendant*

Civil Action No. 4:15-CV-34-CDL

## SUBPOENA TO APPEAR AND TESTIFY AT A HEARING OR TRIAL IN A CIVIL ACTION

To: Mark Bracewell  
c/o Michelle Hirsch

*(Name of person to whom this subpoena is directed)*

**YOU ARE COMMANDED** to appear in the United States district court at the time, date, and place set forth below to testify at a hearing or trial in this civil action. When you arrive, you must remain at the court until the judge or a court officer allows you to leave.

Place: 120 12th Street, Columbus, GA 31901	Courtroom No.: 2nd Floor
*on call for entire week - contact counsel for time to appear	Date and Time: 09/11/2017 9:00 am

You must also bring with you the following documents, electronically stored information, or objects *(leave blank if not applicable)*:

The following provisions of Fed. R. Civ. P. 45 are attached – Rule 45(c), relating to the place of compliance; Rule 45(d), relating to your protection as a person subject to a subpoena; and Rule 45(e) and (g), relating to your duty to respond to this subpoena and the potential consequences of not doing so.

Date:

8/31/17

CLERK OF COURT

OR

*Signature of Clerk or Deputy Clerk*
  
*Attorney's signature*

The name, address, e-mail address, and telephone number of the attorney representing *(name of party)*

S/A Jerald Watson and Dep. John Goodrich, who issues or requests this subpoena, are:  
Kenneth D. Jones, Esq. and Russell A. Britt, Esq., Hall Booth Smith, 191 Peachtree Street, Suite 2900, Atlanta, GA 30303-1775, (404) 954-5000, KJones@hallboothsmith.com and RBritt@hallboothsmith.com

### Notice to the person who issues or requests this subpoena

If this subpoena commands the production of documents, electronically stored information, or tangible things before trial, a notice and a copy of the subpoena must be served on each party in this case before it is served on the person to whom it is directed. Fed. R. Civ. P. 45(a)(4).

AO 88 (Rev. 02/14) Subpoena to Appear and Testify at a Hearing or Trial in a Civil Action (page 2)

Civil Action No. 4:15-CV-34-CDL

**PROOF OF SERVICE***(This section should not be filed with the court unless required by Fed. R. Civ. P. 45.)*

I received this subpoena for (name of individual and title, if any) \_\_\_\_\_

on (date) \_\_\_\_\_

☒ I served the subpoena by delivering a copy to the named person as follows: c/o Michelle J. Hirsch, Esq.

Office of the Attorney General, 40 Capital Square, Atlanta, GA 30334

on (date) 08/31/2017 ; or

☐ I returned the subpoena unexecuted because: \_\_\_\_\_Unless the subpoena was issued on behalf of the United States, or one of its officers or agents, I have also  
tendered to the witness the fees for one day's attendance, and the mileage allowed by law, in the amount of

\$ 75.00

*The fee is being mailed directly to Mr. Dracowell  
per counsel's request.*

My fees are \$ \_\_\_\_\_ for travel and \$ \_\_\_\_\_ for services, for a total of \$ 0.00

I declare under penalty of perjury that this information is true.

Date: 08/31/2017



Server's signature

Russell Britt, Esq.

Printed name and title

191 Peachtree Street, Suite 2900  
Atlanta, GA 30303

Server's address

Additional information regarding attempted service, etc.:



**Federal Rule of Civil Procedure 45 (c), (d), (e), and (g) (Effective 12/1/13)****(c) Place of Compliance.**

(1) *For a Trial, Hearing, or Deposition.* A subpoena may command a person to attend a trial, hearing, or deposition only as follows:

- (A) within 100 miles of where the person resides, is employed, or regularly transacts business in person; or
- (B) within the state where the person resides, is employed, or regularly transacts business in person, if the person
  - (i) is a party or a party's officer; or
  - (ii) is commanded to attend a trial and would not incur substantial expense.

(2) *For Other Discovery.* A subpoena may command:

- (A) production of documents, electronically stored information, or tangible things at a place within 100 miles of where the person resides, is employed, or regularly transacts business in person; and
- (B) inspection of premises at the premises to be inspected.

**(d) Protecting a Person Subject to a Subpoena; Enforcement.**

(1) *Avoiding Undue Burden or Expense; Sanctions.* A party or attorney responsible for issuing and serving a subpoena must take reasonable steps to avoid imposing undue burden or expense on a person subject to the subpoena. The court for the district where compliance is required must enforce this duty and impose an appropriate sanction—which may include lost earnings and reasonable attorney's fees—on a party or attorney who fails to comply.

(2) *Command to Produce Materials or Permit Inspection.*

(A) *Appearance Not Required.* A person commanded to produce documents, electronically stored information, or tangible things, or to permit the inspection of premises, need not appear in person at the place of production or inspection unless also commanded to appear for a deposition, hearing, or trial.

(B) *Objections.* A person commanded to produce documents or tangible things or to permit inspection may serve on the party or attorney designated in the subpoena a written objection to inspecting, copying, testing, or sampling any or all of the materials or to inspecting the premises—or to producing electronically stored information in the form or forms requested. The objection must be served before the earlier of the time specified for compliance or 14 days after the subpoena is served. If an objection is made, the following rules apply:

- (i) At any time, on notice to the commanded person, the serving party may move the court for the district where compliance is required for an order compelling production or inspection.
- (ii) These acts may be required only as directed in the order, and the order must protect a person who is neither a party nor a party's officer from significant expense resulting from compliance.

(3) *Quashing or Modifying a Subpoena.*

(A) *When Required.* On timely motion, the court for the district where compliance is required must quash or modify a subpoena that:

- (i) fails to allow a reasonable time to comply;
- (ii) requires a person to comply beyond the geographical limits specified in Rule 45(c);
- (iii) requires disclosure of privileged or other protected matter, if no exception or waiver applies; or
- (iv) subjects a person to undue burden.

(B) *When Permitted.* To protect a person subject to or affected by a subpoena, the court for the district where compliance is required may, on motion, quash or modify the subpoena if it requires:

- (i) disclosing a trade secret or other confidential research, development, or commercial information; or

(ii) disclosing an unretained expert's opinion or information that does not describe specific occurrences in dispute and results from the expert's study that was not requested by a party.

(C) *Specifying Conditions as an Alternative.* In the circumstances described in Rule 45(d)(3)(B), the court may, instead of quashing or modifying a subpoena, order appearance or production under specified conditions if the serving party:

- (i) shows a substantial need for the testimony or material that cannot be otherwise met without undue hardship; and
- (ii) ensures that the subpoenaed person will be reasonably compensated.

**(e) Duties in Responding to a Subpoena.**

(1) *Producing Documents or Electronically Stored Information.* These procedures apply to producing documents or electronically stored information:

(A) *Documents.* A person responding to a subpoena to produce documents must produce them as they are kept in the ordinary course of business or must organize and label them to correspond to the categories in the demand.

(B) *Form for Producing Electronically Stored Information Not Specified.* If a subpoena does not specify a form for producing electronically stored information, the person responding must produce it in a form or forms in which it is ordinarily maintained or in a reasonably usable form or forms.

(C) *Electronically Stored Information Produced in Only One Form.* The person responding need not produce the same electronically stored information in more than one form.

(D) *Inaccessible Electronically Stored Information.* The person responding need not provide discovery of electronically stored information from sources that the person identifies as not reasonably accessible because of undue burden or cost. On motion to compel discovery or for a protective order, the person responding must show that the information is not reasonably accessible because of undue burden or cost. If that showing is made, the court may nonetheless order discovery from such sources if the requesting party shows good cause, considering the limitations of Rule 26(b)(2)(C). The court may specify conditions for the discovery.

(2) *Claiming Privilege or Protection.*

(A) *Information Withheld.* A person withholding subpoenaed information under a claim that it is privileged or subject to protection as trial-preparation material must:

- (i) expressly make the claim; and
- (ii) describe the nature of the withheld documents, communications, or tangible things in a manner that, without revealing information itself privileged or protected, will enable the parties to assess the claim.

(B) *Information Produced.* If information produced in response to a subpoena is subject to a claim of privilege or of protection as trial-preparation material, the person making the claim may notify any party that received the information of the claim and the basis for it. After being notified, a party must promptly return, sequester, or destroy the specified information and any copies it has; must not use or disclose the information until the claim is resolved; must take reasonable steps to retrieve the information if the party disclosed it before being notified; and may promptly present the information under seal to the court for the district where compliance is required for a determination of the claim. The person who produced the information must preserve the information until the claim is resolved.

(g) *Contempt.*

The court for the district where compliance is required—and also, after a motion is transferred, the issuing court—may hold in contempt a person who, having been served, fails without adequate excuse to obey the subpoena or an order related to it.



DATE REF.#	08-31-17	PAYEE: INV.#	Mark Bracewell	INV. AMOUNT	VENDOR #: INV. DESCRIPTION	19036	CHECK #: AMT. PAID	170914
5812.0003		08-31-17		75.00	Witness Fee & Mileage		75.00	

HALL BOOTH SMITH PC // OPERATING ACCOUNT

THIS CHECK IS VOID WITHOUT A BLUE & GREEN BACKGROUND AND AN ARTIFICIAL WATERMARK ON THE BACK - HOLD AT AN ANGLE TO VIEW

08-31-17

HALL BOOTH SMITH PC  
OPERATING ACCOUNT  
131 PEACHTREE STREET, SUITE 2900  
ATLANTA, GA 30303  
(404) 954-5000

SUNTRUST BANK  
ACH RT 081000104  
64-10/610

170914

CHECK AMOUNT  
\$ 75.00

SEVENTY-FIVE AND 00/100 Dollar(s)

PAY TO THE ORDER OF Mark Bracewell

*[Signature]*

TWO SIGNATURES REQUIRED OVER \$500.00  
SIGNATURE HAS A COLORED BACKGROUND - BORDER CONTAINS MICROPRINTING

Form 606-BG

Job No 546410

⑈00170914⑈ ⑈061000104⑈ ⑈000088601942⑈

AO 88 (Rev. 02/14) Subpoena to Appear and Testify at a Hearing or Trial in a Civil Action

# UNITED STATES DISTRICT COURT

for the

ROBERT H. WRIGHT, JR.

*Plaintiff*

v.

S/A JERALD WATSON, et.al.

*Defendant*

Civil Action No. 4:15-CV-34-CDL

## SUBPOENA TO APPEAR AND TESTIFY AT A HEARING OR TRIAL IN A CIVIL ACTION

To: James G. Hillenbrand  
c/o Patrick L. Lail, Esq.

*(Name of person to whom this subpoena is directed)*

**YOU ARE COMMANDED** to appear in the United States district court at the time, date, and place set forth below to testify at a hearing or trial in this civil action. When you arrive, you must remain at the court until the judge or a court officer allows you to leave.

Place: 120 12th Street, Columbus, GA 31901	Courtroom No.: 2nd Floor
*on call for entire week - contact counsel for time to appear	Date and Time: 09/11/2017 9:00 am

You must also bring with you the following documents, electronically stored information, or objects *(leave blank if not applicable)*:

The following provisions of Fed. R. Civ. P. 45 are attached – Rule 45(c), relating to the place of compliance; Rule 45(d), relating to your protection as a person subject to a subpoena; and Rule 45(e) and (g), relating to your duty to respond to this subpoena and the potential consequences of not doing so.

Date: 8/31/17 CLERK OF COURT

OR

*Signature of Clerk or Deputy Clerk*

*Attorney's signature*

The name, address, e-mail address, and telephone number of the attorney representing *(name of party)*

S/A Jerald Watson and Dep. John Goodrich, who issues or requests this subpoena, are:  
Kenneth D. Jones, Esq. and Russell A. Britt, Esq., Hall Booth Smith, 191 Peachtree Street, Suite 2900, Atlanta, GA 30303-1775, (404) 954-5000, KJones@hallboothsmith.com and RBritt@hallboothsmith.com

### Notice to the person who issues or requests this subpoena

If this subpoena commands the production of documents, electronically stored information, or tangible things before trial, a notice and a copy of the subpoena must be served on each party in this case before it is served on the person to whom it is directed. Fed. R. Civ. P. 45(a)(4).



AO 88 (Rev. 02/14) Subpoena to Appear and Testify at a Hearing or Trial in a Civil Action (page 2)

Civil Action No. 4:15-CV-34-CDL

**PROOF OF SERVICE***(This section should not be filed with the court unless required by Fed. R. Civ. P. 45.)*I received this subpoena for *(name of individual and title, if any)* \_\_\_\_\_on *(date)* \_\_\_\_\_

☒ I served the subpoena by delivering a copy to the named person as follows: c/o Patrick L. Lail, Esq.  
 Elarbee, Thompson, Sapp & Wilson, 800 International Tower, 229 Peachtree Street, Atlanta, GA 30303

on *(date)* 08/31/2017 ; or

☐ I returned the subpoena unexecuted because: \_\_\_\_\_

Unless the subpoena was issued on behalf of the United States, or one of its officers or agents, I have also  
 tendered to the witness the fees for one day's attendance, and the mileage allowed by law, in the amount of  
 \$ 42.00

My fees are \$ \_\_\_\_\_ for travel and \$ \_\_\_\_\_ for services, for a total of \$ 0.00

I declare under penalty of perjury that this information is true.

Date: 08/31/2017

  
 \_\_\_\_\_  
*Server's signature*

Russell Britt, Esq.

Printed name and title

191 Peachtree Street, Suite 2900  
 Atlanta, GA 30303

\_\_\_\_\_  
*Server's address*

Additional information regarding attempted service, etc.:

**Federal Rule of Civil Procedure 45 (c), (d), (e), and (g) (Effective 12/1/13)****(c) Place of Compliance.**

**(1) For a Trial, Hearing, or Deposition.** A subpoena may command a person to attend a trial, hearing, or deposition only as follows:

- (A) within 100 miles of where the person resides, is employed, or regularly transacts business in person; or
- (B) within the state where the person resides, is employed, or regularly transacts business in person, if the person
  - (i) is a party or a party's officer; or
  - (ii) is commanded to attend a trial and would not incur substantial expense.

**(2) For Other Discovery.** A subpoena may command:

- (A) production of documents, electronically stored information, or tangible things at a place within 100 miles of where the person resides, is employed, or regularly transacts business in person; and
- (B) inspection of premises at the premises to be inspected.

**(d) Protecting a Person Subject to a Subpoena; Enforcement.**

**(1) Avoiding Undue Burden or Expense; Sanctions.** A party or attorney responsible for issuing and serving a subpoena must take reasonable steps to avoid imposing undue burden or expense on a person subject to the subpoena. The court for the district where compliance is required must enforce this duty and impose an appropriate sanction—which may include lost earnings and reasonable attorney's fees—on a party or attorney who fails to comply.

**(2) Command to Produce Materials or Permit Inspection.**

**(A) Appearance Not Required.** A person commanded to produce documents, electronically stored information, or tangible things, or to permit the inspection of premises, need not appear in person at the place of production or inspection unless also commanded to appear for a deposition, hearing, or trial.

**(B) Objections.** A person commanded to produce documents or tangible things or to permit inspection may serve on the party or attorney designated in the subpoena a written objection to inspecting, copying, testing, or sampling any or all of the materials or to inspecting the premises—or to producing electronically stored information in the form or forms requested. The objection must be served before the earlier of the time specified for compliance or 14 days after the subpoena is served. If an objection is made, the following rules apply:

- (i) At any time, on notice to the commanded person, the serving party may move the court for the district where compliance is required for an order compelling production or inspection.
- (ii) These acts may be required only as directed in the order, and the order must protect a person who is neither a party nor a party's officer from significant expense resulting from compliance.

**(3) Quashing or Modifying a Subpoena.**

**(A) When Required.** On timely motion, the court for the district where compliance is required must quash or modify a subpoena that:

- (i) fails to allow a reasonable time to comply;
- (ii) requires a person to comply beyond the geographical limits specified in Rule 45(c);
- (iii) requires disclosure of privileged or other protected matter, if no exception or waiver applies; or
- (iv) subjects a person to undue burden.

**(B) When Permitted.** To protect a person subject to or affected by a subpoena, the court for the district where compliance is required may, on motion, quash or modify the subpoena if it requires:

- (i) disclosing a trade secret or other confidential research, development, or commercial information; or

(ii) disclosing an unretained expert's opinion or information that does not describe specific occurrences in dispute and results from the expert's study that was not requested by a party.

**(C) Specifying Conditions as an Alternative.** In the circumstances described in Rule 45(d)(3)(B), the court may, instead of quashing or modifying a subpoena, order appearance or production under specified conditions if the serving party:

- (i) shows a substantial need for the testimony or material that cannot be otherwise met without undue hardship; and
- (ii) ensures that the subpoenaed person will be reasonably compensated.

**(e) Duties in Responding to a Subpoena.**

**(1) Producing Documents or Electronically Stored Information.** These procedures apply to producing documents or electronically stored information:

**(A) Documents.** A person responding to a subpoena to produce documents must produce them as they are kept in the ordinary course of business or must organize and label them to correspond to the categories in the demand.

**(B) Form for Producing Electronically Stored Information Not Specified.** If a subpoena does not specify a form for producing electronically stored information, the person responding must produce it in a form or forms in which it is ordinarily maintained or in a reasonably usable form or forms.

**(C) Electronically Stored Information Produced in Only One Form.** The person responding need not produce the same electronically stored information in more than one form.

**(D) Inaccessible Electronically Stored Information.** The person responding need not provide discovery of electronically stored information from sources that the person identifies as not reasonably accessible because of undue burden or cost. On motion to compel discovery or for a protective order, the person responding must show that the information is not reasonably accessible because of undue burden or cost. If that showing is made, the court may nonetheless order discovery from such sources if the requesting party shows good cause, considering the limitations of Rule 26(b)(2)(C). The court may specify conditions for the discovery.

**(2) Claiming Privilege or Protection.**

**(A) Information Withheld.** A person withholding subpoenaed information under a claim that it is privileged or subject to protection as trial-preparation material must:

- (i) expressly make the claim; and
- (ii) describe the nature of the withheld documents, communications, or tangible things in a manner that, without revealing information itself privileged or protected, will enable the parties to assess the claim.

**(B) Information Produced.** If information produced in response to a subpoena is subject to a claim of privilege or of protection as trial-preparation material, the person making the claim may notify any party that received the information of the claim and the basis for it. After being notified, a party must promptly return, sequester, or destroy the specified information and any copies it has; must not use or disclose the information until the claim is resolved; must take reasonable steps to retrieve the information if the party disclosed it before being notified; and may promptly present the information under seal to the court for the district where compliance is required for a determination of the claim. The person who produced the information must preserve the information until the claim is resolved.

**(g) Contempt.**

The court for the district where compliance is required—and also, after a motion is transferred, the issuing court—may hold in contempt a person who, having been served, fails without adequate excuse to obey the subpoena or an order related to it.



REP #	INV #	INV DATE	INV AMOUNT	INV DESCRIPTION	AMT PAID
5812.0003		08-31-17	42.00	Witness Fee & Mileage	42.00

HALL BOOTH SMITH PC / OPERATING ACCOUNT

Form 606-BG

THIS CHECK IS VOID WITHOUT A BLUE & GREEN BACKGROUND AND AN ARTIFICIAL WATERMARK ON THE BACK - HOLD AT AN ANGLE TO VIEW

08-31-17

HALL BOOTH SMITH PC  
OPERATING ACCOUNT  
191 PEACHTREE STREET, SUITE 2900  
ATLANTA, GA 30303  
(404) 964-5000

SUNTRUST BANK  
ACH RT 061006104  
64-10/610

170911

CHECK AMOUNT  
\$ 42.00

FORTY-TWO AND 00/100 Dollar(s)

PAY TO THE ORDER OF Jim Hillenbrand

*Jim Hillenbrand*

TWO SIGNATURES REQUIRED OVER \$600.00  
SIGNATURE HAS A COLORED BACKGROUND - BORDER CONTAINS MICROPRINTING

Job No 546410

⑈00170911⑈ ⑆061000104⑆ 1000088601942⑈